

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
(609) 989-2040

CHAMBERS OF
TONIANNE J. BONGIOVANNI
UNITED STATES MAGISTRATE JUDGE

U.S. COURTHOUSE
402 E. STATE STREET, RM 6052
TRENTON, NJ 08608

November 13, 2012

LETTER ORDER

RECEIVED

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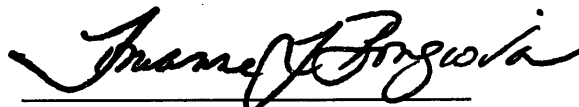
Re: Slutsky, et al. v. Guadagno, et al.
Civil Action No. 10-5331 (PGS)

AT 8:30 _____ M
WILLIAM T. WALSH, CLERK

Dear Counsel:

In accordance with this Court's prior letter order dated October 9, 2012 [Docket Entry No. 24], the parties were instructed to determine whether, in light of the decision in *Powell v. Symons*, 680 F.3d 301 (3d Cir. 2012), the appointment of counsel was necessary for the Plaintiff in this case, Clayton Slutsky. In response, the parties have each submitted letters¹ that there is no need to appoint a guardian *ad litem* at this juncture. Having considered the parties' positions, the Court is in agreement that a guardian *ad litem* is not required and the Court shall not appoint one at this time.

IT IS SO ORDERED.



TONIANNE J. BONGIOVANNI
United States Magistrate Judge

¹Plaintiff's letter dated October 25, 2012 is attached hereto as Exhibit A; Defendant's letter was electronically filed as Docket Entry No. 26.

October 25, 2012

The Honorable Tonianne J. Bongiovanni
United States Magistrate Judge
Clarkson S. Fisher Federal Bldg.
& U.S. Courthouse
402 E. State Street, Rm. 6052
Trenton, N.J. 08608

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OCT 26 2012

TONIANNE J. BONGIOVANNI
U.S. MAGISTRATE JUDGE

RE: Slutsky et al. v. Guadagno et al.
Civil Action: 3:10-cv-05331 (PGS-TJB)

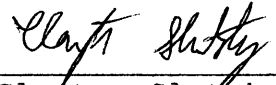
REF: LETTER ORDER Dated October 9, 2012

Dear Judge Bongiovanni:

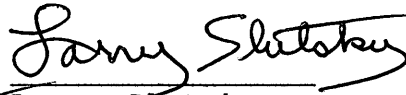
The guardian ad litem process does not appear applicable at this time. There is no competency issue involving Clayton that is being raised to Court. That is not to say that the process may not become appropriate in the future based on medical circumstances.

Thank you.

Sincerely,


Clayton Slutsky
Plaintiff, Pro Se


Wendy Slutsky
Plaintiff, Pro Se


Larry Slutsky
Plaintiff, Pro Se

30 Orchard Ave W.
Holmdel, N.J. 07733

Tel. 732-739-4265

cc

Levi J. Kool, Esq., O'Donnell McCord P.C.